

## NEEDHAM PLANNING BOARD MINUTES

January 8, 2013

The regular meeting of the Planning Board held in the Charles River Room at the Public Services Administration Building was called to order by Bruce Eisenhut, Chairman, on Tuesday, January 8, 2013 at 7:30 p.m. with Messrs. Warner and Jacobs and Ms. McKnight as well as Planning Director, Ms. Newman and Recording Secretary, Ms. Kalinowski. Mr. Ruth arrived at 8:20 p.m.

**Decision: Major Project Site Plan Special Permit No. 2012-06: Needham Music, Inc., 947 Great Plain Avenue, Needham, Massachusetts, 02492, Petitioner (Property located at 953-961 Great Plain Avenue, Needham, MA 02492).**

Ms. Newman noted she has prepared a draft decision and has shared it with the applicant's attorney. He had a couple of changes. She had no issue with the changes. She changed the calculations for the square footage and corrected it. She clarified the right to move internal walls under 3.7 and the number of students on site.

Upon a motion made by Mr. Warner, and seconded by Mr. Jacobs, it was by the four members present unanimously:

VOTED: to sign the decision in the amended form.

**Request to review and approve final plans for issuance of building permit: Amendment to Major Project Site Plan Review No. 2007-10: Beth Israel Deaconess Hospital Needham, 148 Chestnut Street, Needham, MA, and Beth Israel Deaconess Medical Center, Inc., 330 Brookline Avenue, Boston, MA, Petitioner (Property located at 148 Chestnut Street, 86 School Street, and 92 School Street, Needham, MA).**

Ms. Newman noted she received the drawings and they were fine. The construction management plan was fine. She noted the project was ready for Phase 4.

Upon a motion made by Mr. Warner, and seconded by Mr. Jacobs, it was by the four members present unanimously:

VOTED: to authorize the Planning Director to sign the plan and authorize the Planning Director to send a letter to the Building Inspector when she is satisfied.

### **Board of Appeals – January 17, 2013**

Webster Street Green, LLC, P.O. Box 920275, Needham, MA 02492 – 28 Webster Street.

Ms. Newman noted she had a landscape plan. She has asked for comments from the Design Review Board. Ms. McKnight commented it appears there are quite a few trees and bushes being provided.

Upon a motion made by Ms. McKnight, and seconded by Mr. Warner, it was by the four members present unanimously:

VOTED: "No comment."

Stewart Medical Group, LLC, 500 Boylston Street, Boston, MA 02118 – 145 Rosemary Street.

Ms. Newman noted this is the medical office building on Rosemary Street. They have 277 spaces on site. They need a waiver of 28 additional spaces. She noted they have a waiver of 17 or 18 already. They need 321 spaces with the new use.

Upon a motion made by Mr. Jacobs, and seconded by Mr. Warner, it was by the four members present unanimously:

VOTED: "No comment."

### **Planning Board Appointment to the Downtown Streetscape Working Group.**

Ms. Newman noted they are looking at the streetscape improvements in the downtown. There is money in the capital plan. Mr. Warner stated he was willing to volunteer for the committee. Mr. Jacobs asked if the downtown included the Lincoln Street properties. Ms. Newman noted it does. It is a pretty broad charter Town Manager Fitzpatrick wrote for the committee.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:

VOTED: to approve the appointment of Sam Bass Warner to the Downtown Streetscape Working Group.

### **Minutes**

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:

VOTED: to adopt the minutes of 1/24/12 and 10/23/12 as written.

Ms. McKnight noted on the 9/11/12 minutes the Edward Jones discussion in the 3<sup>rd</sup> paragraph. She asked the largest what. This should be clarified. Ms. Newman noted the largest Edward Jones office.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:

VOTED: to approve the minutes of 9/11/12 with the one change discussed.

Ms. McKnight noted a couple of changes on the minutes of 10/16/12.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the four members present unanimously:

VOTED: to approve the minutes of 10/16/12 with changes.

### **Report from Planning Director**

Mr. Jacobs noted the minutes of 11/20/12 and asked the Planning Director if a letter was sent to the School Department to see why there is no parking in back at Pollard. Ms. Newman stated she had sent the letter but has not heard back. She will find out.

Mr. Jacobs noted the large house issue. He stated the League of Women Voters meeting is in early March. He asked if they have scheduled anything. Ms. Newman stated she has been asked to participate in the discussion there on 3/4/13. Ms. McKnight noted Selectman Dan Matthews mentioned he has been getting calls from residents regarding the large house issue. She feels he seems to be suggesting that the Planning Board should get something together for this next Town Meeting. Ms. Newman stated she agrees Selectman Matthews thinks they should get something together.

Ms. McKnight stated she feels the basic idea is what should the Floor area to lot area ratio be. Mr. Eisenhut stated he wants to be fairly liberal to prevent outrageous examples. Ms. Newman stated they should do an inventory of what has been built in the last 5 years to see what has worked and what has not.

Ms. McKnight noted they should consider what is an appropriate FAR and, if it exceeds the FAR limit, is it merely site plan review or a special permit with a site plan process. She feels to exceed should be a special permit. Ms. Newman stated they should have a small working group to work on this. She asked if the Planning Board wants her to create a more formal group. It could be 2 Planning Board members with 5 others. Ms. McKnight commented she feels that a formal group is a good idea. Ms. Newman stated they need a charter of the committee, see what kinds of people they want, then post and ask people to apply. She thinks the issue is worthy

of a study. After discussion it was decided to have a staff meeting 7:30 a.m. Monday 1/14/13. Ms. Newman will invite Building Inspector David Roche and Economic Development Advisor Devra Bailin.

**Report on meeting with Board of Selectmen on Zoning for Medical Marijuana Dispensaries.**

Ms. McKnight stated her meeting with the Selectmen included the Board of Health. They discussed if the town wants to do something about zoning to control where dispensaries should be. She stated they need to do a moratorium or a zoning article. The group is looking more toward a moratorium. She noted Cambridge has adopted a moratorium.

Ms. McKnight stated at the meeting she had the feeling that since the regulations have not been adopted yet by the state, it is uncertain what they are facing. A moratorium should be the route to go to limit the time period for planning. They feel the time limit should be up to a year. She added the earliest they could vote on the moratorium would be at the May Town Meeting.

Mr. Ruth arrived at 8:20 p.m.

**7:30 p.m. – Major Project Site Plan Special Permit No. 2013-01: Urgent Care Centers of New England, Inc., 2 Adams Place, Suite 305, Quincy, MA 02169, Petitioners (Property located at 922-958 Highland Avenue, Needham, MA 02492).**

Upon a motion made by Mr. Ruth, and seconded by Mr. Jacobs, it was by the five members present unanimously:  
VOTED: to waive the reading of the public hearing notice.

Robert Smart, representative for the applicant, stated they want to amend an existing Special Permit. He noted 2,836 square feet will be leased which is half of the Hollywood Video space. It will be immediate care for non-threatening injuries and no appointment will be necessary. He feels it will help local businesses and the use is in keeping with the By-Law. It is allowed by right.

Mr. Smart noted they will have a maximum of 7 employees and 7 patients on site at any one time, with 27 to 40 patients per day. The peak hours will be 8:00 a.m. to 10:00 a.m. and 6:00 p.m. to 8:00 p.m. The peak hours do not coincide with the retail. There are 123 available parking spaces – 113 in the lot and 10 on the street. The maximum peak demand is 124 spaces so a waiver of one space is requested. There are no changes to the footprint or the lot. He noted the Design Review Board has approved the façade changes and signage.

Renee Lohman, of Carewell, stated they have opened 2 centers with a third opening in Norwell in 3 weeks. They have met all third party contracts and accept all Massachusetts insurance companies now. No referral is needed. She stated they will fill a major gap and noted the average wait time is 45 minutes total. All physicians are board certified and they will also use nurse practitioners. They will have a hospital referral protocol. She noted discussions with Beth Israel Deaconess Medical Center are going well.

Ms. Lohman stated they can schedule appointments for companies for physicals and can do drug testing on site. There will be a physician, x-ray technician, physician's assistant and a practical manager in charge administratively.

Adam Maciak, of Carewell, gave the Planning Director a packet of signage approvals. There will be West Street and Highland Avenue signs consistent in size and look of the parking lot side signs but a little smaller. There will be 20 inch high letters down to 16 inch letters. They will be the same proportion but downsized. All will be halo lit and the letters will be blue and green. There will be stainless steel cut signs behind the front desk. Access will be from both sides and the hours will be posted in the front and back. The door will be chimed and monitored by video. He described how the process would be. He noted the nurses' station is virtually in the center of the building. There will be a façade change on the parking lot side only with a door added.

Mr. Jacobs noted the Fire Department sent an email with comments regarding ambulances. Mr. Maciak stated there would be no ambulances delivering patients. He noted occasionally there would be an ambulance going out. Ms. Lohman stated they are not designated as an emergency level 5. They cannot receive ambulances.

Joseph Wanat, of VHB, Inc., stated he conducted a parking count from 8:30 a.m. to 6:00 p.m. every half hour and also included the on-street parking. He compiled a memorandum for the Board. He noted existing parking totals 123 spaces. The peak demand is 104 from 2:00 p.m. to 2:30 p.m. He stated they did the count on 11/15/12 – the Thursday before the Thanksgiving break. There was an excess of 19 spaces of supply over demand at peak. He stated they did not count the spaces on the southbound side of Highland Avenue. In the a.m. there were about 75 spaces in excess and about 50 excess in the p.m. He reviewed the parking figures. He stated they feel this is a complimentary use to the other businesses.

Mr. Ruth clarified they will have 6 exam rooms and 18 waiting seats. Ms. Lohman stated they expect parents to bring children. The waiting room will be set up for children. She noted the weekends have a more consistent flow. They have pre-registration materials and people can call for wait time. Mr. Ruth asked what the experience is on Saturdays. Ms. Lohman noted pediatric demand. They are busy first thing in the morning then it evens out to a consistent flow.

Ms. McKnight stated the study ended at 6:00 p.m. She asked why when the facility is open until 8:00 p.m. Mr. Wanat stated they actually did after 6:00 p.m. but it trailed way off. He did not see a need to continue. Mr. Jacobs commented they lose some spaces when Trader Joe's trucks unload.

Ms. McKnight stated in the As-built in 2007 the 2 spaces outside the door were made employee only. They were considered not safe spaces. The handicap spaces are next to that. She asked if an ambulance would be able to park in the handicap spaces. Mr. Ruth noted they could probably park in the fire lane. Ms. McKnight stated they should continue the condition the 2 spaces are employee only. Mr. Eisenhut asked if they should also say the ambulance should be directed to the rear. This was agreed. Mr. Ruth asked if there would be lead screening for the x-ray. Ms. Lohman noted the Department of Radiology has to test and approve.

Frank Flynn, of 47 Mellon Street, stated he went through the plans and likes the project. He is in support although he had 3 concerns. One was the ambulance issue but he is satisfied after this discussion. The second was signage and he is satisfied with the reduction. The last concern is if the lights will be off when the facility is closed. Mr. Maciak stated after hours the signs will be turned off. They have left them on in some locations but they will turn them off.

Mr. Flynn stated he is concerned with the dumpsters and waste. He does not want to see a third dumpster there. Ms. Newman noted the owner proposes to put a fence around the dumpster. Mr. Maciak stated there is little waste. They plan for 50% overage. They have a 4 yard dumpster emptied every 2 weeks. He stated there is adequate space in the current dumpster. The biological waste stays in the facility. Mr. Jacobs asked how often they come to remove the biologic waste. Ms. Lohman stated at least every other week and it is during normal work hours. Mr. Flynn reiterated he supports the project. Mr. Jacobs asked if the parking usage drops off after 6:00 p.m. Janice Flynn, of 47 Mellon Street, stated it does.

Ms. McKnight stated she is not sure the 2007 site plan for the dumpster is the latest plan. Mr. Smart informed her the newest As-Built Site Plan is being worked on. Ms. Newman stated she just received it last week and will substitute it. The dumpster area is still in the same area. The Design Review Board has approved replacement materials.

Mr. Eisenhut noted the following correspondence for the record: a letter from Police Lt. John Kraemer noting no safety concerns; an email from Janice Berns of the Health Department with no comments; an email from Fire Chief Paul Buckley with a question regarding ambulances and a memo from the DPW with no comments or objections.

Arti Rapi stated he is in support but asked what the delivery hours are. Ms. Lohman noted it is only supplies delivered by UPS. Mr. Rapi stated it may not be practical to have an ambulance go to the parking side. He stated it may be more practical to go where it can.

Upon a motion made by Mr. Ruth, and seconded by Ms. McKnight, it was by the five members present unanimously:

VOTED: to close the hearing.

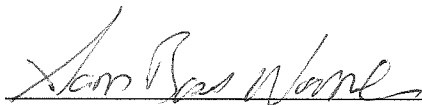
Mr. Eisenhut commented they should leave the ambulance condition out. The presentation was very good. He stated parking is potentially tighter than they hoped. Mr. Ruth stated he thinks so also but it is close to areas with public parking. Ms. Newman will prepare a decision and they can vote in 2 weeks.

Mr. Ruth informed the members his term on the Board expires in April and he will not seek reelection.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the five members present unanimously:

VOTED: to adjourn the meeting at 9:30 p.m.

Respectfully submitted,  
Donna J. Kalinowski, Notetaker

A handwritten signature in cursive script, appearing to read "Sam Bass Warner", is written over a horizontal line.

Sam Bass Warner, Vice-Chairman and Clerk